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Filing date: **11/09/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92046357
Party	Plaintiff ECPI COLLEGES, INC
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Submission	Withdrawal of Cancellation
Filer's Name	Peter E. Broadbent, Jr.
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Date	11/09/2007
Attachments	2059_001.pdf ( 2 pages )(36422 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Registration No. 2,485,231  
For the mark CULINARD THE CULINARY INSTITUTE OF VIRGINIA COLLEGE  
Date registered September 4, 2001

(Name of petitioner) ECPI Colleges, Inc.	)	
v.	)	Cancellation No. 92,046,357
(Name of registrant) Educational Corporation	)	
of America	)	

United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
P. O. Box 1451  
Alexandria, Virginia 22313-1451

**WITHDRAWAL OF PETITION FOR CANCELLATION**

Petitioner, ECPI Colleges, Inc., through its attorney, hereby withdraws and abandons its Petition for Cancellation in the above matter, Cancellation No. 92,046,357, and requests the dismissal of such proceeding with prejudice, in accordance with TBMP § 601.02, pursuant to a settlement agreement between the parties.

Respectfully submitted,

ECPI COLLEGES, INC.  
By Counsel  
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Virginia State Bar No. 15962



Attorney for Petitioner

Dated: November 9, 2007

**CERTIFICATE OF MAILING**

I hereby certify that on this 9<sup>th</sup> day of November, 2007, that this correspondence is being filed electronically with the USPTO, and a copy is being sent by first class mail, postage prepaid, to Peter S. Fruin, Esquire, counsel of record for the Registrant, at Maynard, Cooper & Gale, P.C., 1901 Sixth Avenue North, 2400 Regions/Harbert Plaza, Birmingham, Alabama 35203-2618.



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